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# TRANSMITTAL FORM

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	Application Number	10/16/02	
	Filing Date	02/06/2002	
	First Named Inventor	Jerrold Franklin	
	Group Art Unit	2833	
	Examiner Name		
Total Number of Pages in This Submission	52	Attorney Docket Number	109.06

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
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Firm or Individual name	Daniel P. Maguire
Signature	<i>Daniel P. Maguire</i>
Date	10/16/2002

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UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Jerrold Franklin *et al.* }  
Application No. 10/068,154 }  
Filed: February 6, 2002 }  
For: Compliant Contacts for Fuel Cell Use }

Date: October 16, 2002  
Group Art Unit 2833

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*Petition to Make Special and § 1.102 Statement of Counsel*

Assistant Commissioner of Patents  
Washington D.C. 20231

Dear Sir or Madam:

The applicants respectfully submit this petition to make special under 37 C.F.R. § 1.102 and MPEP § 708.02 (V) & (VI). The applicants had previously requested that the present application be made special, through their February 6, 2002 patent application cover letter. However, since that request has not been acted upon, applicants respectfully resubmit their request.

The present application relates to fuel cells, which are very efficient energy devices that avoid the creation of harmful emissions. As set forth on page 1 of the specification for the present application, fuel cells use hydrogen (the most abundant element on earth) as a fuel, and oxygen, usually from the air, as an oxidant to create electricity through a chemical conversion process, without combustion and without harmful emissions. (The chief byproduct of fuel cells is water.) Further general information about fuel cells is provided in the attached article, attached hereto as Exhibit A.

The invention covered by the present application will "materially enhance the quality of the environment of mankind" by helping to improve air quality, and is therefore eligible for special status under MPEP 708.02(V). More particularly, the present invention will "improv[e] fuel cell operation by providing substantially uniform internal load distribution to effect uniform electrical contact across the conductive surface." Spec. 4: 6-7. (The specification and drawings of the present application are incorporated by reference herein). The present invention will therefore improve the

efficiency of fuel cell operation, and make fuel cells more robust and therefore easier to bring to market. Because they produce no harmful emissions, increased use of fuel cells will improve air quality.

Likewise, the present application is eligible for special status under MPEP 708.02(VI) as an energy-saving device. Since fuel cells rely on abundant hydrogen, not scarce fossil fuels, they can help to conserve our nation's energy resources. *See* Spec. 1: 16 -18.

*Conclusion*

For the reasons stated above, the present application should be accorded special status under either MPEP § 708.02 (V) or (VI).

Dated: October 16, 2002

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